

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Christopher Allen Rainey v. Russel Barlow and Chelsey Faith Marto

Rainey · No. 9:25-cv-12384-JFA-MHC · Decided January 15, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the Magistrate Judge’s Report and Recommendation and dismissed Christopher Allen Rainey’s 42 U.S.C. § 1983 action without prejudice. The court concluded that one defendant was entitled to absolute immunity, another was not a state actor, and the requested relief was more appropriately pursued through habeas proceedings.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Joseph F. Anderson, Jr.
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	January 15, 2026
DOCKET	9:25-cv-12384-JFA-MHC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil-rights action under 42 U.S.C. § 1983 referred to a magistrate judge for initial review under the Prison Litigation Reform Act. The district court reviewed and adopted the magistrate judge's Report and Recommendation after Plaintiff filed no objections.
STANDARD OF REVIEW	Because Plaintiff filed no objections, the district court was not required to conduct de novo review of specific portions of the Report and Recommendation or provide an explanation for adopting it. The court reviewed the Report, the applicable law, and the record and found the recommendation correct.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not established in the supplied materials.
PARTIES	Christopher Allen Rainey v. Russel Barlow, Chelsey Faith Marto

TOPICS

section 1983

prisoners rights

civil procedure

motions to dismiss

PRACTICE AREAS

Civil procedure

Civil rights

Prisoner litigation

Federal courts

QUESTIONS PRESENTED

1. Whether the district court could adopt the magistrate judge's Report and Recommendation without de novo review or a detailed explanation when Plaintiff filed no objections.
2. Whether the complaint was subject to summary dismissal under the Prison Litigation Reform Act.
3. Whether the § 1983 action could proceed where one defendant was entitled to absolute immunity, another was not a state actor, and the requested relief was more appropriately pursued in habeas proceedings.

HOLDINGS

1. When a party makes no specific objection to a magistrate judge's Report and Recommendation, the district court is not required to conduct de novo review of specific portions of the report or provide an explanation for adopting the recommendation.
2. The complaint was subject to summary dismissal under the Prison Litigation Reform Act.
3. The action could not proceed against Russel Barlow because he was entitled to absolute immunity.
4. The action could not proceed against Chelsey Faith Marto because she was not a state actor for purposes of § 1983.
5. The requested relief was better suited for a habeas action rather than an action under § 1983.

KEY QUOTATIONS

“Consequently, this action is dismissed without prejudice, without further leave to amend, and without issuance and service of process.”

“Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation.”

FACTUAL BACKGROUND

Christopher Allen Rainey, proceeding pro se, filed a civil action under 42 U.S.C. § 1983 alleging constitutional-rights violations against Russel Barlow and Chelsey Faith Marto. The magistrate judge concluded that Barlow was entitled to absolute immunity, Marto was not a state actor, and the relief sought was better suited to a habeas action. Rainey filed no objections to the Report and Recommendation.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 complaint alleging constitutional-rights violations. The magistrate judge recommended summary dismissal because Russel Barlow was entitled to absolute immunity, Chelsey Faith Marto was not a

state actor, and the requested relief was more appropriately sought through habeas corpus. Plaintiff did not object to the Report and Recommendation, and the district court adopted it and dismissed the action without prejudice, without further leave to amend, and without issuance and service of process.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)
- Carniewski v. W. Virginia Bd. of Prob. & Parole, 974 F.2d 1330 (4th Cir. 1992)
- Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983)

OPINION

IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA Christopher Allen Rainey, C/A No. 9:25-cv-12384-JFA-MHC Plaintiff, v. ORDER Russel Barlow, Attorney Chelsey Faith Marto, Defendants. Christopher Allen Rainey, (“Plaintiff”), proceeding pro se, filed this civil action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review. The Magistrate Judge assigned to this action conducted a review of the complaint pursuant to the procedural provisions of the Prison Litigation Reform Act (“PLRA”), Pub. L. No. 104-134, 110 Stat. 1321 (1996), including 28 U.S.C. § 1915 and 28 U.S.C. § 1915A, and prepared a thorough Report and Recommendation¹ (“Report”).

Within the Report, the Magistrate Judge opines that this action is subject to summary dismissal because Defendant Russel Barlow is entitled to absolute immunity; Defendant Chelsey Faith Marto is not a State Actor; and the requested relief is better suited for a habeas action rather than one ¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Mathews v. Weber, 423 U.S. 261 (1976). brought pursuant to § 1983.

The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation. (ECF No. 7). Plaintiff was advised of his right to object to the Report, which was entered on the docket on December 11, 2025. Id. The Magistrate Judge required Plaintiff to file objections by December 29, 2025.

Id. Plaintiff failed to file any objections and the time for doing so has elapsed. Thus, this matter is ripe for review. A district court is only required to conduct a de novo review of the specific

portions of the Magistrate Judge's Report to which an objection is made. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir.

1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Plaintiff's Complaint is subject to summary dismissal.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law.

Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 7). Consequently, this action is dismissed without prejudice, without further leave to amend, and without issuance and service of process. IT IS SO ORDERED. January 15, 2026 Joseph F. Anderson, Jr. Columbia, South Carolina United States District Judge